

# **TITLE 5, CALIFORNIA CODE OF REGULATIONS**

## **CALIFORNIA STATE BOARD OF EDUCATION**

### **NOTICE OF PROPOSED RULEMAKING**

California High School Exit Examination

March 11, 2002

The State Board of Education (State Board) proposes to adopt the regulations described below after considering all comments, objections, or recommendations regarding the proposed action.

#### **PROPOSED REGULATORY ACTION**

The State Board proposes to amend Sections 1200(e), and (g), add Section 1200(j) and (k), amend Section 1204, amend Section 1209(b)(5), amend Section 1211(j) and Section 1211(k), amend Section 1212, and add Section 1220(a) and (b) of Title 5 of the California Code of Regulations, providing guidance on administration of the California High School Exit Examination.

#### **PUBLIC HEARING**

The State Board will hold a public hearing starting at 11:00 a.m. on Thursday, May 30, 2002, at 721 Capitol Mall, Room 166. The room is wheelchair accessible. At the hearing, any person may present statements or arguments orally or in writing relevant to the proposed action described in the Informative Digest. The State Board requests that any person desiring to present statements or arguments orally notify the agency of such intent. No oral statements will be accepted subsequent to this public hearing.

#### **WRITTEN COMMENT PERIOD**

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the State Board. All written comments must be received no later than the close of the public hearing scheduled to start at 11:00 a.m. on May 30, 2002. Requests to present oral statements at the public hearing or written comments for the State Board's consideration should be directed to:

Pat McGinnis, Regulations Adoption Coordinator  
California Department of Education  
721 Capitol Mall, Room 552  
P. O. Box 944272  
Sacramento, California 94244-2720  
Telephone: (916) 657-4669; FAX number: (916) 657-3844  
E-mail: pmcginni@cde.ca.gov

## **AUTHORITY AND REFERENCE**

Authority for these regulations is found in Education Code section 33031. Education Code section 33031 is the State Board's general authority to adopt rules and regulations for the government of the day and evening schools of the state.

References for these regulations are Education Code sections 52504, 560851, 60850(g), 60951(a), 60851(b), and 60851(c).

## **DISCLOSURES REGARDING THE PROPOSED ACTION**

Mandate on local agencies and school districts: None

Cost or savings to any state agency: None

Cost to any local agency or school district that must be reimbursed in accordance with Government Code section 17561: None

Other non-discretionary cost or savings imposed upon local agencies: None

Cost or savings in federal funding to the state: None

Cost impact on representative private person or business: The State Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Impact on Business: The State Board has made an initial determination that the proposed regulatory changes will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

Significant effect on housing costs: The State Board has made an initial determination that the proposed regulatory action would not affect housing costs.

Effect on small business: None, because these regulations do not affect the business operations of small businesses.

## **CONSIDERATION OF ALTERNATIVES**

In accordance with Government Code section 11346.5(a)(13), the State Board must determine that no reasonable alternative considered by the State Board or that has otherwise been identified and brought to the attention of the State Board would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

The purpose of the proposed regulations is to provide guidance on the administration of the California High School Exit Examination. The State Board does not believe that existing law absent these regulations achieves that objective. Moreover, the State Board has been unable to identify any alternative to the proposed regulations that achieves the objective. The State Board invites interested persons to present statements or arguments regarding alternatives to the proposed regulations at the above-mentioned hearing or during the written comment period.

### **ASSESSMENT REGARDING CREATION OR ELIMINATION OF JOBS IN CALIFORNIA**

The State Board has made an assessment and determined that the adoption of the proposed regulations will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California. No Report Required.

### **CONTACT PERSONS**

Inquiries concerning the substance of the proposed action should be directed to:

Jan Chladek  
Standards and Assessment Division  
California Department of Education  
721 Capitol Mall, Sixth Floor  
P. O. Box 944272  
Sacramento, California 94244-2720  
(916) 657-2671

Requests for a copy of the proposed text of the regulations, the initial statement of reasons, the modified text of the regulations, if any, or other technical information upon which the rulemaking is based should be directed to:

Pat McGinnis, Regulations Adoption Coordinator  
California Department of Education  
721 Capitol Mall, Room 552  
P. O. Box 944272  
Sacramento, California 94244-2720  
Telephone: (916) 657-4669; FAX number: (916) 657-3844

Or: Debra Strain, Regulations Analyst  
Telephone: (916) 657-2453; FAX number: (916) 657-3844

### **AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS**

The Regulation Adoption Coordinator will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at her office, at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this

notice, the proposed text of the regulations, and the initial statement of reasons. A copy may be obtained by contacting the Regulation Adoption Coordinator at the address or telephone number listed above or accessing the California Department of Education's website at <http://www.cde.ca.gov/regulations>. Upon its completion, the Final Statement of Reasons will be available and copies may be requested from the Regulations Adoption Coordinator or viewed on the website.

#### **AVAILABILITY OF CHANGED OR MODIFIED TEXT**

Following the public hearing, the State Board may adopt the proposed regulations substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the modified text, with changes clearly indicated, will be made available to the public for at least 15 days prior to the date on which the State Board adopts the regulations. Requests for copies of any modified regulations should be sent to the attention of the Regulation Adoption Coordinator at the address indicated above. The State Board will accept written comments on the modified regulations for 15 days after the date on which it is made available.